



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

JUN 28 2016

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Article number: 7015 3010 0001 6837 7753

Daniel Davis, Executive Director of Facility Services
Barnard College
3009 Broadway
New York, NY 10027.

Re: Notice of Violation
Barnard College
EPA ID # NYR000024935

Dear Mr. Davis:

This Notice of Violation is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. §§ 6901, 6928.

Pursuant to RCRA, as amended by HSWA, the U. S. Environmental Protection Agency (EPA) promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272.

For the purposes of this Notice of Violation, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984.

The State of New York is authorized by EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926 and is authorized to enforce RCRA. EPA has retained its authority to enforce the hazardous waste rules and regulations in the State of New York.

From a review of the hazardous waste manifests, we have determined that the facility is a Small Quantity Generator (SQG) of hazardous waste. On or about March 24 and April 5, 2016, a duly authorized inspector conducted a Compliance Evaluation Inspection (CEI) of Barnard College 3009 Broadway, New York, NY 10027.

As a result of the CEI, the following violations of the RCRA regulations were determined:

1. Pursuant to 6 NYCRR § 372.2(a)(2), a person who generates a solid waste must determine whether that solid waste is a hazardous waste using the procedures specified in that provision.

At the time of the inspection, Barnard College failed to make a hazardous waste determination of abandoned chemicals in the following rooms:



(a) In Alschul Building, Room 717, there was a 100 ml. container containing sodium which was not covered with mineral oil.

(b) In the Alschul Building, Room 703, there were two 20 ml. containers of unknown liquids.

2. Pursuant to 6 NYCRR § 373-3.3(a), a facility should be maintained and operated to minimize the possibility of a fire or explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.

At the time of the inspection, Barnard College failed to operate its facility to minimize the possibility of a fire or explosion, or any planned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water in at least the following area:

In Alschul Building, Room 717, there was a 100 ml. container containing sodium which was not covered with mineral oil.

3. Pursuant to 6 NYCRR § 373-3.3(d), facility communications or alarm systems, fire protection equipment, and spill control equipment are tested and maintained to assure their proper operation in time of emergency.

(a) At the time of the inspection, Barnard College failed to inspect fire extinguishers in the following rooms for the months of January 2016 and February 2016:

- (1) Altschul Building, 13th floor, hazardous waste container storage area;
- (2) Altschul Building, 7th floor, hazardous waste container storage area;
- (3) Altschul Building, Room 715;
- (4) Altschul Building, Room 708;

(b) At the time of the inspection, Barnard College failed to inspect the fire extinguishers in the following rooms for the month of February 2016.

- (1) Alschul Building, Room 1213
- (2) Alschul Building, Room 1214

4. Pursuant to 6 NYCRR § 374-3.2 (e)(5), a small quantity handler of universal waste must label each lamp or each container or package containing such lamps with the words "Universal Waste-Lamps" or "Waste Lamps" or "Used Lamps."

At the time of the inspection, Barnard College was storing five 4 foot and one compact spent fluorescent lightbulbs and they were not labeled with the words "Universal Waste-Lamps" or "Waste Lamps" or "Used Lamps".

5. Pursuant to 6 NYCRR § 374-3.2(d)(4)(i), Small Quantity Handlers of Universal Waste must manage spent fluorescent light bulbs in containers or packages that are structurally sound, adequate to prevent breakage and compatible with the contents of the lamps. Containers or packages are closed and show no evidence of leakage, spillage, or damage.

At the time of the inspection, Barnard College did not store five 4 foot and one compact spent light bulbs in a container.

6. Pursuant to 6 NYCRR § 374-3.2(f)(3), a handler must be able to demonstrate the length of time that universal waste has been accumulated by marking the date, maintaining an inventory, or any other method.

At the time of the inspection, Barnard College did not mark fifteen 4 foot boxes with the date to demonstrate the length of time the universal waste has been accumulated, nor did they maintain an inventory nor did they use any other method to demonstrate such time.

Please submit, within thirty (30) days of the receipt of this correspondence, a response which includes [1] a description of the actions you have taken to correct the violations described above, [2] documentation demonstrating that the violations has been corrected and [3] steps taken to prevent a recurrence of the violations, and or a rebuttal of the allegations.

Failure to comply and submit the documentation requested in this Notice of Violation may subject you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928.

If you have any questions regarding this letter, please contact Mr. Abdool Jabar at (212) 637-4051.

Sincerely yours,



Leonard Voo, Chief
Hazardous Waste Compliance Branch

cc: Kelly Lewandowsky, Chief
Site Control Section
Division of Environmental Remediation
New York State Department of Environmental Conservation
625 Broadway, 11th Floor
Albany, NY 12233-7020

